

**Sec. 5.1000. (R-5) MULTIPLE-FAMILY RESIDENTIAL DISTRICT.****Sec. 5.1001. Purpose.**

This district is intended to provide for development of multiple-family residential and allows a high density of population with a proportional increase in amenities as the density rises. The district is basically residential in character and promotes a high quality environment through aesthetically oriented property development standards.

**Sec. 5.1002. Approvals required.**

No structure or building shall be built or remodeled upon land in the R-5 district until Development Review [Board] approval has been obtained as outlined in article I, section 1.900 hereof.

(Ord. No. 3225, § 1, 5-4-99)

**Sec. 5.1003. Use regulations.**

A. *Permitted uses.* Buildings, structures or premises shall be used and buildings and structures shall hereafter be erected, altered or enlarged only for the following uses:

1. Accessory buildings; swimming pool, private; home occupations; and other accessory uses.
2. Boardinghouse or lodginghouse.
3. Day care home.
4. Dwelling, single-family detached.
5. Dwelling, multiple family.
6. Municipal uses.
- 6.1. Wireless communications facilities; Types 1, 2, and 3, subject to the requirements of Sections 1.906, 3.100 and 7.200.
7. School: Public, elementary and high.
8. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon the completion or abandonment of construction work.
9. Temporary sales office buildings and model homes.
10. Churches and places of worship.

B. *Uses permitted by conditional use permit.*

1. Commercial and/or ham transmitting or receiving radio and television antennas in excess of seventy (70) feet.
2. Recreational uses (see section 1.403 for specific uses and development criteria for each).
3. Community buildings or recreational fields not publicly owned. Convent.
4. Convent.
5. Day care center (see section 1.403 for criteria).
6. Golf course (except miniature course or practice driving tee operated for commercial purposes), including clubhouse and service facilities which are intended to primarily serve golf course uses and are so located within the golf course that the development is self-contained and would provide whatever degree of buffer is necessary to adjacent property.
7. Hotel, motel, and timeshare project of not less than ten (10) units and commercial uses appurtenant thereto, such as restaurant, cocktail lounges, gift shops, newsstand, smoke shops, barbershops, beauty parlors and small retail shops, provided the entrance of such use shall be from the interior of the



building, lobby, arcade or interior patio.

8. Orphanage.

9. Wireless communications facilities; Type 4, subject to requirements of sections 1.400, 3.100 and 7.200.

10. Plant nursery; provided, however, that all materials (other than plant materials) shall be screened from view by a solid fence or wall at least six (6) feet in height, and further that a completely enclosed building having a minimum floor area of five hundred (500) square feet shall be provided.

11. Private club, fraternity, sorority and lodges.

12. Private lake, semi-public lake, swimming pools, tennis courts.

13. Private or charter school having no room regularly used for housing or sleeping overnight. Subject to Development Review Board approval and compliance with the following standards, as well as those otherwise required in the district.

a. Lot area: The minimum lot area shall be equal to that required for the district, except that no lot shall be less than forty-three thousand (43,000) square feet (net).

b. Floor area ratio: In no case shall the gross floor area of the structure(s) exceed an amount equal to two-tenths (0.2) multiplied by the net lot area.

c. There shall be no outside speaker system or bells, if the school building is within one hundred (100) feet of a single-family dwelling or multifamily dwelling unit.

d. Open space: In no case shall the open space be less than twenty-four (24) percent of the total lot area for zero (0) to twenty (20) feet of total building height, plus four-tenths (0.4) percent of the total site for each foot of height above twenty (20) feet. All NAOS requirements of the district must be met and may be applied towards the overall open space requirements subject to compliance with NAOS standards.

e. Parking: Parking shall be allowed in the front yard setbacks of the district for schools on streets classified by the Scottsdale General Plan as minor collector or greater. There shall be a three-foot high landscaped berm or wall along the street frontage where parking occurs. On all other street classifications, parking shall be located behind the established front building line(s). A minimum of fifteen (15) percent of all parking areas shall be landscaped. A twenty-foot minimum landscaped setback shall be provided where parking is adjacent to residential districts.

f. Lighting: All pole mounted lighting shall be directed down and shielded and shall be a maximum of sixteen (16) feet in height. All lighting adjacent to residential districts shall be setback a minimum of thirty (30) feet from the property line. All lighting, other than security, shall be turned off by 10:00 p.m., unless otherwise approved through a special event permit.

g. Screening: There shall be a minimum six-foot high masonry wall and/or landscape screen, as approved by the Development Review Board, on the side and rear property lines adjacent to residential districts.

h. Access: All private and charter schools shall have frontage on a street classified by the Scottsdale General Plan as a minor collector or greater. Side street access to a local collector residential street is prohibited when the number of students allowed to attend the school is greater than two hundred fifty (250). A drop off area shall be provided that accommodates a minimum of five (5) cars at one (1) time.

i. Operations: No outdoor activities shall be permitted after 8:00 p.m. unless otherwise approved through a special event permit. No playground or outdoor activity area shall be located within fifty (50) feet of any R1 district or within twenty-five (25) feet of any R2, R3, R4, R4-R, R5 or M-H district. All playgrounds and outdoor activity areas shall be screened from any residential district by a minimum six-foot high screen wall.

j. Building design: All buildings shall be designed to be compatible with the surrounding residential neighborhood. All building elevations shall be approved by the Development Review Board.

14. Public buildings other than hospitals.

15. Public utility buildings, structures or appurtenances thereto for public service uses.



16. Residential health care facility (see section 1.403 for criteria).

(Ord. No. 2266, § 1, 11-21-89; Ord. No. 2394, § 1, 9-16-91; Ord. No. 2430, § 1, 1-21-92; Ord. No. 2858, § 1, 12-5-95; Ord. No. 3048, § 2, 10-7-97; Ord. No. 3034, § 1, 11-4-97; Ord. No. 3103, § 1, 1-6-98; Ord. No. 3225, § 1, 5-4-99; Ord. No. 3493, § 1, 3-4-03)

## **Sec. 5.1004. Property development standards.**

The following property development standards shall apply to all land and buildings in the R-5 district.

### **A. Minimum property size.**

1. Each parcel or lot within a development shall be a minimum net lot size of thirty-five thousand (35,000) square feet.
2. If an R-5 zoned parcel of land or a lot of record in separate ownership has an area of less than thirty-five thousand (35,000) square feet and has been lawfully established and recorded prior to the adoption of this requirement on October 2, 1979, such lot may be used for any purpose permitted in this section, subject to all other requirements of this ordinance.

### **B. Open space requirements.**

1. Main land uses that are density-based shall provide open space in the amounts specified in the density chart--Section 5.1004.D, in the following proportions:
  - a. A minimum of one-half of the open space requirement shall be incorporated as frontage open space to provide a setting for the building, visual continuity within the community, and a variety of spaces in the streetscape, except that the frontage open space shall not be required to exceed fifty (50) square feet per one (1) foot of public street frontage and shall not be less than twenty (20) square feet per one (1) foot of public street frontage.
  - b. A private outdoor living space shall be provided adjoining each dwelling unit equal to a minimum of ten (10) percent of the gross size of the dwelling unit, except that dwelling units above the first story shall provide such space equal to a minimum of five (5) percent of the gross size of the dwelling unit.
  - c. The remainder of the required open space shall be provided in common open space.
2. Main land uses that are not density-based shall provide a minimum of twenty-four (24) percent of the net lot area in open space, a minimum of one-half of which shall be in frontage open space.
3. Open space required under this section shall be exclusive of parking lot landscaping required under the provisions of article IX of this ordinance.

### **C. Building height.**

1. No building shall exceed thirty-six (36) feet in height except as otherwise provided in article VII.
2. Building height shall not exceed one (1) story within fifty (50) feet of any R-1, R-2, R-3, R-4, R-4R or M-H district boundary line.

**D. Density requirements.** Compliance with the standards under columns 3 and 4 determine allowable density for dwelling and guest units.

TABLE INSET:

ALLOWABLE DENSITY		STANDARDS	
1	2	3	4
Dwelling Units Per Acre (and corresponding gross land area per unit	Timeshare or Guest Units Per Acre (and corresponding gross land area per unit	Minimum Percentage of Net Lot Area to be maintained in	Minimum Percentage of the Tree Requirement to be provided in



requirement)	requirement)	Open Space	Mature Trees
17 (2562) or less	24 (1816) or less	22	40
18 (2422)	25.5 (1708)	25	50
19 (2292)	27 (1613)	28	60
20 (2180)	28.5 (1528)	31	70
21 (2074)	30 (1452)	34	80
22 (1980)	31.5 (1382)	37	90
23 (1890)	33 (1320)	40	100

**E. *Building setback.***

1. Wherever an R-5 development abuts an R-1, R-2, R-3, R-4, R-4R or M-H district or an alley abutting any of those districts, a yard of not less than fifteen (15) feet shall be maintained.
2. Wherever an R-5 development abuts any district other than R-1, R-2, R-3, R-4, R-4R or M-H, or abuts an alley adjacent to such other district, a building may be constructed on the property line. However, if any yard is to be maintained, it shall be not less than ten (10) feet in depth. Larger yards may be required by the Development Review Board or City Council if the existing or future development of the area around the site warrants such larger yards.

**F. *Distance between buildings.***

1. There shall not be less than ten (10) feet between an accessory building and a main building or between two (2) main buildings, except that an accessory building with two (2) or more open sides, one of which is adjacent to the main building, may be built to within six (6) feet of the main building.

**G. *Walls, fences and required screening.***

1. Walls, fences and hedges not to exceed eight (8) feet in height shall be permitted on the property line or within the required yard areas, except within the required frontage open spaces, within which they may not exceed three (3) feet in height, or except as otherwise provided in article VII.
2. All parking areas adjacent to a public street shall be screened with a wall to a height of three (3) feet above the parking surface.
3. All mechanical structures and appurtenances shall be screened as approved by the Development Review Board.
4. All storage and refuse areas shall be screened as determined by Development Review [Board].

**H. *Access.*** All lots shall have frontage on and have vehicular access from a dedicated street, unless a secondary means of permanent vehicle access has been approved by the Development Review Board.

(Ord. No. 1840, § 1(5.1004), 10-15-85; Ord. No. 1922, § 1, 11-4-86; Ord. No. 2430, 1-21-92; Ord. No. 2509, § 1, 6-1-93; Ord. No. 2818, § 1, 10-17-95; Ord. No. 3225, § 1, 5-4-99)

**Sec. 5.1005. Off-street parking.**

The provisions of article IX shall apply.

**Sec. 5.1006. Signs.**

The provisions of article VIII shall apply.